



GLADSTONE
REGIONAL COUNCIL

GENERAL MEETING MINUTES

**HELD AT THE COUNCIL CHAMBERS - CIVIC CENTRE
101 GOONDOON STREET, GLADSTONE**

On Tuesday 25 October 2022

Commencing at 9.00am

**Leisa Dowling
CHIEF EXECUTIVE OFFICER**

Table of Contents

ITEM	PAGE
G/0.3.2. APOLOGIES AND LEAVE OF ABSENCE	3
G/0.3.3. MESSAGES OF CONDOLENCE	3
G/0.3.4. DECLARATION OF INTERESTS.....	3
G/1. MAYORAL STATEMENT OF CURRENT ISSUES.....	4
G/2. CONFIRMATION OF MINUTES.....	5
G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 4 OCTOBER 2022	5
G/3. OFFICERS' REPORTS.....	6
G/3.1. SIX-MONTHLY UPDATE OF STATUTORY DELEGATIONS	6
G/3.2. GLADSTONE AIRPORT CORPORATION - APPOINTMENT OF THREE NON-EXECUTIVE DIRECTORS	7
G/3.3. APPOINTMENT OF COUNCILLOR TO AUDIT RISK AND IMPROVEMENT COMMITTEE.....	8
G/3.4. MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2022	9
G/4. DEPUTATIONS	10
G/5. COUNCILLORS REPORT.....	10
G/6. URGENT BUSINESS.....	11
G/7. NOTICE OF MOTION	11
G/8. CONFIDENTIAL ITEMS	11

GENERAL MEETING MINUTES 25 OCTOBER 2022

Elected Members

Councillor - Mayor M J Burnett
Councillor G G Churchill
Councillor K Goodluck
Councillor R A Hansen
Councillor D V O'Grady
Councillor N Muszkat
Councillor C Cameron
Councillor D Branthwaite

Officers

Mrs L Dowling (Chief Executive Officer)
Mrs R Millett (Executive Secretary)
Mrs T Whalley (Manager Governance and Risk)
Mr M Holmes (General Manager Finance Governance and Risk)
Ms C Quinn (General Manager Strategy and Transformation)
Ms K Lee (General Manager Community Development and Events)
Mr J Tumbers (General Manager Operations)
Mr M Francis (General Manager Strategic Asset Performance)
Mr R Huth (General Manager Customer Experience)
Mrs V Hankinson (Governance Business partner)

G/0.3.2. APOLOGIES AND LEAVE OF ABSENCE

Councillor Chris Trevor was an apology with an approved leave of absence.

G/0.3.3. MESSAGES OF CONDOLENCE

Nil

G/0.3.4. DECLARATION OF INTERESTS

Nil

G/1. MAYORAL STATEMENT OF CURRENT ISSUES

I would like to welcome back our special Olympians who arrived back in Gladstone on Sunday 23 October 2022 after competing in the Nationals in Tasmania. A number of Councillors were at the airport to wish them farewell when they headed off to compete and some were there to greet them again when they returned. I believe they returned with a whole heap of medals, so congratulations to our special Olympians.

The Gladstone Engineering Alliance conference was held earlier this month and well done to Peter Masters and the team putting on a fantastic conference at the Gladstone Entertainment Convention Centre (GECC).

A number of Councillors have just returned from the Local Government Association of Queensland Annual Conference in Cairns, where I can say that all motions put forward by Gladstone Regional Council were carried. There was a bit of a debate on one, but we managed to get it through.

The Gladstone Women's Health Centre celebrated their 30th anniversary on Saturday 22 October this year. Congratulations to the Gladstone Women's Health Centre on their 30th birthday and keep up the good work there. The team do an amazing job supporting our local women.

The Martin Hanson Memorial Art Awards were launched at the Gladstone Regional Art Gallery Museum on Friday 21 October 2022 with the sponsors night and Saturday 22 October 2022 with the main event. Geoffrey Head, a local artist, won the major prize. Not very often our locals win the major prize, it was good to see Geoffrey win that award, and his sister also won an award earlier in the night. Congratulations to everyone involved, particularly our locals. 151 local entries in the Martin Hanson Memorial Art Awards this year.

Seniors month is still continuing. We had the Mayor's Seniors morning tea at the GECC and thank you to Councillors who attended that. In my absence I sent a video from Cairns but by all accounts, it was a fantastic morning tea. And then we have the lunch at the Old Station on Wednesday 26 October 2022, which I will be attending. Any seniors who are attending at the Old Station, we will see you there.

This Sunday 30 October 2022, Zonta will celebrate their 30th anniversary. We wish Zonta a very happy birthday this Sunday.

Cruise ships return to Gladstone on Monday 14 November 2022 which is fantastic to see the cruise terminal finally being used. It was completed just prior to COVID and then hasn't had a cruise ship dock in there yet. The Feast on East markets will be back on again and we're looking forward to welcoming Holland America on the 14 November 2022.

I would like to acknowledge our Gladstone Region Citizen of the Year in the gallery this morning, Amber Rodgers. Which is perfect timing because this year we're doing something different for our Australia Day Awards by inviting the previous winners to be a part of the committee to help select the next year's winners. Nominations are now open for the 2023 Australia Day Awards for the Gladstone Region and they are open until Sunday 13 November 2022, and I encourage everyone in the Gladstone Region to nominate someone they believe are a community champion, involved in local sport, arts and culture or volunteer in our local community. This year the categories are Citizen of the Year; Young Citizen of the Year; Sport and Recreation Award; Young People Sport and Recreation Award; Art and Culture Award; Community Event Award; Community Volunteer Award; and Mayor's Community Champion Award.

Nominations for our Youth Council are open until Sunday 4 December 2022. Anyone aged 15 to 24 can nominate via Council's website online. I encourage our younger generation to get their nominations in.

G/2. CONFIRMATION OF MINUTES

G/2.1. CONFIRMATION OF GENERAL MEETING MINUTES FOR 4 OCTOBER 2022

Responsible Officer: Chief Executive Officer

Council Meeting Date: 25 October 2022

File Ref: CM7.2

Purpose:

Confirmation of the minutes of the General Meeting held on 4 October 2022.

Officer's Recommendation:

That the minutes of the General Meeting of Council held on 4 October 2022 be confirmed.

GM/22/4848 Council Resolution:

Moved Cr Branthwaite

Seconded Cr Cameron

That the Officer's Recommendation be adopted.

CARRIED

G/3. OFFICERS' REPORTS

G/3.1. SIX-MONTHLY UPDATE OF STATUTORY DELEGATIONS

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 25 October 2022

File Ref: CM9.2

Purpose:

This report seeks Council review of statutory delegations to the Chief Executive Officer as a result of legislative change made during the period February 2022 to August 2022.

Officer's Recommendation:

That the powers contained in Addendum 1 to this report be delegated by Council to the Chief Executive Officer pursuant to Section 257 of the *Local Government Act 2009*.

GM/22/4849 Council Resolution:

Moved Cr Hansen
Seconded Cr Churchill

That the Officer's Recommendation be adopted.

CARRIED

G/3.2. GLADSTONE AIRPORT CORPORATION - APPOINTMENT OF THREE NON-EXECUTIVE DIRECTORS

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 25 October 2022

File Ref: FM19.1

Purpose:

To allow Council to consider the appointment of three non-executive directors to the Gladstone Airport Corporation Board of Directors.

Officer's Recommendation:

That Council:

1. Appoint Dayna Field to the Gladstone Airport Corporation Board of Directors commencing 1 November 2022 for an initial term of 2 years;
2. Appoint Kieran Donovan to the Gladstone Airport Corporation Board of Directors commencing 1 July 2023 for an initial term of 2 years; and
3. Appoint Anthony Groen-Int-Woud to the Gladstone Airport Corporation Board of Directors commencing 1 July 2023 for an initial term of 2 years, subject to Mr Groen-Int-Woud completing the Company Directors Course prior to the commencement of the appointment.

GM/22/4850 Council Resolution:

Moved Cr Goodluck

Seconded Cr Branthwaite

That the Officer's Recommendation be adopted.

CARRIED

G/3.3. APPOINTMENT OF COUNCILLOR TO AUDIT RISK AND IMPROVEMENT COMMITTEE

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 25 October 2022

File Ref: CM26.2

Purpose:

To allow Council to consider a rotation of councillor representation on Council's Audit Risk and Improvement Committee.

Officer's Recommendation:

That Council:

1. Accepts Councillor O'Grady's resignation as member of the Audit Risk and Improvement Committee; and
2. That Council appoint Cr _____ as a member of the Audit Risk and Improvement Committee; and
3. That Council appoint Cr _____ as an alternate member of the Audit Risk and Improvement Committee.

GM/22/4851 Council Resolution:

Moved Mayor Burnett
Seconded Cr Churchill

That Council:

1. Accepts Councillor O'Grady's resignation as member of the Audit Risk and Improvement Committee; and
2. That Council appoint Cr Cameron as a member of the Audit Risk and Improvement Committee; and
3. That Council appoint Cr O'Grady as an alternate member of the Audit Risk and Improvement Committee.

CARRIED

G/3.4. MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 30 SEPTEMBER 2022

Responsible Officer: General Manager Finance Governance and Risk

Council Meeting Date: 25 October 2022

File Ref: FM15.1

Purpose:

This report seeks Council adoption of the Monthly Financial Statements for the 2022-23 year to date, for the period ended 30 September 2022.

Officer's Recommendation:

That Council adopt the Monthly Financial Statements attached to the officer's report for the 2022-23 year to date, for the period ended 30 September 2022 as required under Section 204 Local Government Regulation 2012.

GM/22/4852 Council Resolution:

Moved Cr Hansen

Seconded Cr Branthwaite

That the Officer's Recommendation be adopted.

CARRIED

G/4. DEPUTATIONS

Nil.

G/5. COUNCILLORS REPORT

Councillor Darryl Branthwaite advised that he has a declarable conflict of interest in items regarding the Zendev Aquatic Centre project at Boyne Island as this development could provide major upside to a unit or complex development in the adjoining property which LJ Hooker Boyne Tannum, whom his wife Jenny works for as a sales representative, could be the listing agent in the future. Cr Branthwaite advised that although he has a declarable conflict of interest, he does not believe his interest will affect his ability to participate and vote in a decision in the public interest and would like to remain in the room and participate in the decision.

Councillor Kahn Goodluck clarified with Cr Branthwaite that his wife has not received any contracts for the subject area and congratulated Cr Branthwaite on the transparent approach. It was further clarified that LJ Hooker Boyne Tannum has not been appointed as an exclusive agency for the subject area.

Mayor Burnett enquired as to his ability to participate in the decision regarding Cr Branthwaite's participation given he has a declarable conflict of interest in the matter. Mayor Burnett was advised by the Manager Governance and Risk that he could participate in the decision. Mayor Burnett enquired as to his ability to abstain from the decision and was advised that should he abstain, his vote would be recorded as a vote in the negative.

GM/22/4853 Council Resolution:

Moved Cr Goodluck
Seconded Cr Muszkat

That Cr Branthwaite remain in the room and participate in the decision for items regarding the Zendev Aquatic Centre project at Boyne Island subject to updating his Conflict of Interest should the situation change.

In favour of the motion: Cr Goodluck, Cr O'Grady, Cr Cameron, Cr Muszkat, Cr Hansen, Cr Churchill

Against the motion: Mayor Burnett

Not eligible: Cr Branthwaite

CARRIED

Cr Branthwaite mentioned that he attended the Local Government Australia Queensland conference last week as an observer and clarified that each council had two delegates, with Mayor Burnett and Deputy Mayor Goodluck as Gladstone Regional Council's delegates, who were the only people that can debate or vote on a motion. Cr Branthwaite further mentioned that it was interesting to be a part of the event where there were nearly 800 delegates and that it was very impressive right from our indigenous communities in the far north, and far west. Cr Branthwaite noted that everybody has their own issues and that there were 136 motions that were debated which were interesting. Cr Branthwaite mentioned the whole event was very impressive and he had learnt a lot from the experience.

G/6. URGENT BUSINESS

Nil

G/7. NOTICE OF MOTION

Nil

G/8. CONFIDENTIAL ITEMS

Nil

There being no further business the Mayor formally closed the meeting.

THE MEETING CLOSED AT 9:41am.

ATTACHMENTS

Addendum 1

REGISTER OF DELEGATIONS - EXERCISE OF STATUTORY POWERS COUNCIL TO CHIEF EXECUTIVE OFFICER

NO.	LEGISLATION	SECTION	DESCRIPTION OF POWER DELEGATED	DELEGATE
BA80	Building Act 1975	Section 256(2)(l)	Power, as local government, to make a complaint for an offence in the <i>Building Act 1975</i> other than an offence listed in section 256(2)(a)-(j) of the <i>Building Act</i> .	Chief Executive Officer
BA81	Building Act 1975	Section 256(2)(k)	Power, as local government, to authorise a person to make a complaint for an offence in the <i>Building Act 1975</i> other than an offence listed in section 256(2)(a)-(j) of the <i>Building Act</i>.	Chief Executive Officer
BA88	Building Act 1975	Section 256(2)(k)	Power, as local government, to make a complaint for an offence in the expired <i>Building Regulation 2006</i> , part 4A.	Chief Executive Officer
BA89	Building Act 1975	Section 256(2)(k)	Power, as local government, to authorise a person to make a complaint for an offence in the expired <i>Building Regulation 2006</i> , part 4A.	Chief Executive Officer
EPA12	Environmental Protection Act 1994	Section 150(1)(d)	Power, as an administering authority, to determine the change would not be likely to attract a submission objecting to the thing the subject of the change, if the notification stage were to apply to the change.	Chief Executive Officer
EPA13	Environmental Protection Act 1994	Section 152	Power, as an administering authority, to give the applicant an information notice prescribing an additional or substituted way to give public notice of an application.	Chief Executive Officer
EPA14	Environmental Protection Act 1994	Section 159	Power to decide to allow or not allow substantial compliance with public notice requirements.	Chief Executive Officer
EPA150	Environmental Protection Act 1994	Section 547C(1) and (2)	Power, as an administering authority, to consider and decide a request for the issue of a temporary authority.	Chief Executive Officer
EPA151	Environmental Protection Act 1994	Section 547C(3)	Power, as an administering authority, to give the person written notice of the decision to refuse the issue of a temporary authority and the reasons for the decision.	Chief Executive Officer
EPA152	Environmental Protection Act 1994	Section 547D(2)	Power, as an administering authority, to issue a temporary authority by giving a written notice.	Chief Executive Officer
EPA132	Environmental Protection Act 1994	Section 549(2)	Power to consult with the chief executive about guidelines the chief executive proposes.	Chief Executive Officer
JA01	Justices Act 1886	Section 42(1)	Power to commence a proceeding under the <i>Justices Act 1886</i> by a complaint in writing.	Chief Executive Officer
JA02	Justices Act 1886	Section 222(1)	Power to appeal to the District Court an order made by justices or a justice in a summary way on a complaint for an offence or breach of duty.	Chief Executive Officer
LGA127	Local Government Act 2009	Section 11(c)	Power to start a legal proceeding in the name of Council	Chief Executive Officer
LGA124	Local Government Act 2009	Section 237	Power to start a proceeding:- (1) in the name of Council; (2) under the <i>Justices Act 1886</i> in the name of a local government employee who is a public officer within the name of that Act.	Chief Executive Officer
PHICPASA39	Public Health (Infection Control for Personal Appearance Services) Act 2003	Section 46A	Power to consider an application for restoration of a licence and decide to:- (a) restore the licence; or (b) restore the licence subject to conditions; or (c) refuse to restore the licence.	Chief Executive Officer
PHICPASA40	Public Health (Infection Control for Personal Appearance Services) Act 2003	Section 46B	Power to give the applicant a notice requiring the applicant to give further information or a document reasonably required to decide the application for restoration of a licence.	Chief Executive Officer
RSLA61	Retail Shop Leases Act 1994	Section 55	Power, as a party to a retail tenancy dispute that is within a mediator's jurisdiction under section 97, to ledge the dispute notice with the chief executive commissioner and pay the fee.	Chief Executive Officer
RSLA65	Retail Shop Leases Act 1994	Section 91(1)	Power to, by written notice given to the chief executive commissioner , withdraw a dispute notice lodged for a retail tenancy dispute	Chief Executive Officer
RSLA66	Retail Shop Leases Act 1994	Section 113(2)(a)	Power, as a party to the dispute resolution process, to agree to the mediator or former tribunal member disclosing information coming to the knowledge of the mediator or member during the dispute resolution process or the hearing	Chief Executive Officer

GENERAL MEETING MINUTES 25 OCTOBER 2022

REGISTER OF DELEGATIONS - EXERCISE OF STATUTORY POWERS
COUNCIL TO CHIEF EXECUTIVE OFFICER

NO.	LEGISLATION	SECTION	DESCRIPTION OF POWER DELEGATED	DELEGATE
RSLA67	Retail Shop Leases Act 1994	Section 56A	Power to apply to the commissioner to be joined as a party to a mediation of a retail tenancy dispute and pay the fee.	Chief Executive Officer
SPEA5	State Penalties Enforcement Act 1999	Section 33(1)	Power, as administering authority in the circumstances listed in subsections 33(1)(a) to (d), to give the State Penalties Enforcement Registry a default certificate for registration in respect of any recipient of an infringement notice who has not taken action within the time period provided by the infringement notice offence.	Chief Executive Officer
SPEA6	State Penalties Enforcement Act 1999	Section 57(45)	Power, as administering authority, to (a) commence proceedings against an applicant for an offence; or (b) (a) accept payment of the fine in full; or (c) (b) issue a fresh infringement notice where the registrar has cancelled an enforcement notice and referred the matter back to Council.	Chief Executive Officer
TORUMVRR28	Transport Operations (Road Use Management - Vehicle Registration) Regulation 2021	Section 203 2 (1)	Power, as client user, to request an extract from the register about a vehicle, and pay the relevant fee to, the public access provider.	Chief Executive Officer
WWCRMSA1	Working with Children (Risk Management and Screening) Act 2000	Section 171	Power, as a person who employs someone in employment that is regulated employment, to develop and implement a written strategy about the person's employees that complies with the requirements of subsection 171(1).	Chief Executive Officer
WWCRMSA2	Working with Children (Risk Management and Screening) Act 2000	Section 172	Power, as a person who carries on a regulated business, to develop and implement a written strategy about the regulated business that complies with the requirements of subsections 172(a) and 172(b).	Chief Executive Officer
WWCRMSA3	Working with Children (Risk Management and Screening) Act 2000	Section 173(1)	Power as an employer, before giving a notice mentioned in section 175(1)(b) or 176C(1)(b) to take reasonable steps to verify the person's identity.	Chief Executive Officer
WWCRMSA4	Working with Children (Risk Management and Screening) Act 2000	Section 173(2)	Power as an employer, to give a notice mentioned in section 175(1)(b) or 176C(1)(b), in the approved form and in the approved way.	Chief Executive Officer